

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

DAWN AND JOHNNY SAUDICA,)	
)	
Plaintiffs,)	
)	
v.)	1:06-mc-03284-WKW
)	
SWAFFORD & HAYS SETTLEMENT)	
SERVICES, INC.,)	
)	
Defendant.)	

ORDER ON MOTION

The Middle District Clerk docketed on February 27, 2006, a *Motion*, dated February 22, 2006, by counsel for A & B Abstracts, Inc., of Abbeville, Alabama, to *Quash Subpoena and Objection to Plaintiff's Subpoena* (Doc.1). Just brought to this court's attention today, the *Motion* seeks relief from a subpoena which required a company representative to appear at the office of plaintiff's counsel in Mobile, Alabama, at 9:00 a.m. on February 24, 2006, delivering documents and providing testimony in this civil action pending in the Southern District as Case No. 05-669. It is, therefore, **ORDERED** that the *Motion* is **DENIED as moot** without prejudice for this third-party to re-file as warranted if the controversy remains live and movant demonstrates an inability to secure any relief necessary in the underlying civil action pending in the Southern District.

Done this 3rd day of March, 2006.

/s/ Delores R. Boyd

DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE